

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

POTBELLY CORPORATION,
Plaintiff,
v.
BEAZLEY INSURANCE COMPANY, INC.,
Defendant.

No. 2:25-cv-00688-RSM

STIPULATION TO SET TIME
FOR DEFENDANT TO RESPOND
TO COMPLAINT

Pursuant to Local Civil Rules 7(d)(1), 7(j) and 10(g), Plaintiff Potbelly Corporation (“Potbelly”) and Defendant Beazley Insurance Company, Inc. (“Beazley”) hereby stipulate and agree to set the time for Beazley to respond to Potbelly’s Complaint, subject to the Court’s approval.

1. By Complaint dated March 21, 2025, Potbelly commenced an action in the Superior Court of the State of Washington, King County, captioned as *Potbelly Corporation v. Beazley Insurance Company, Inc.*, Case No. 25-2-09144-9 SEA (the “State Court Action”). Potbelly provided a copy of the Complaint to Beazley, but did not serve it with a summons.

2. On March 27, 2025, Potbelly re-filed the State Court Action Complaint with a new case number, Case No. 25-2-09728-5 SEA. Beazley was not served with a copy of the March 27, 2025 Complaint or with a summons.

³ On April 16, 2025, Beazley removed the State Court Action to this Court, Dkt. 1.

1 4. Because Beazley has not been served with a summons, Beazley currently does not
 2 have a deadline to respond to the Complaint. Fed. R. Civ. P. 81(c).

3 5. On June 2, 2025, counsel for Potbelly and Beazley conferred and agreed to
 4 schedule a private mediation in an effort to resolve this matter.

5 6. The Parties have scheduled a mediation for July 2, 2025.

6 7. In order to accommodate settlement negotiations, Beazley has agreed to accept
 7 service via its counsel in this case, and the Parties have agreed and hereby stipulate (subject to
 8 Court approval) that Beazley's deadline to respond to the Complaint shall be July 9, 2025.

9 8. Good cause exists for the Court to grant the requested relief to allow the Parties to
 10 explore early resolution of this matter.

11 9. Except for the requested deadline described above, the Parties have not sought or
 12 obtained any prior extension of time for Beazley to respond to Potbelly's Complaint in this
 13 matter.

14 IT IS SO STIPULATED.

15 DATED this 3rd day of July, 2025.

16 PLAINTIFF POTBELLY CORPORATION

17
 18 By: /s/ Michael E. Scoville
 19 Michael E. Scoville, WSBA #44913
 20 McGuire Woods, LLP
 21 888 16th Street, N.W.
 22 Suite 500
 23 Washington, D.C. 20006
 24 Telephone: (202) 828-2812
 25 mscoville@mcguirewoods.com

26
 27 Anthony Tatum (*pro hac vice* forthcoming)
 28 Georgia Bar No. 306287
 29 Alexander Bein (*pro hac vice* forthcoming)
 30 McGuireWoods LLP
 31 Georgia Bar No. 330729
 32 1075 Peachtree Street, NE, 35th Floor
 33 Atlanta, Georgia 30309

DEFENDANT BEAZLEY
 INSURANCE COMPANY, INC.

By /s/ Lauren Rainwater
 Lauren Rainwater, WSBA #43625
 Davis Wright Tremaine LLP
 920 5th Avenue, Suite 3300
 Seattle, WA 98104
 (206) 757-8119
 laurenrainwater@dwt.com

Jonathan S. Zelig (*pro hac vice*
 forthcoming), MA Bar No. 569432
 Day Pitney LLP
 One Federal Street, 29th Floor
 Boston, MA 02110
 (617) 345-4601
 jzelig@daypitney.com

1 ttatum@mcguirewoods.com
2 abein@mcguirewoods.com

Catherine A. DeLanzo (*pro hac vice*
forthcoming), CT Bar No. 442247
Day Pitney LLP
225 Asylum Street
Hartford, CT 06103
(860) 275-0159
cdelanzo@daypitney.com

ORDER

For good cause shown, the Court GRANTS the Parties' stipulated motion. Defendant Beazley's deadline to respond to the Complaint shall be July 9, 2025.

IT IS SO ORDERED this 3rd day of July, 2025.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE